

### 3. Remarks

The Examiner has rejected pending claims 1-19. The applicant has amended claims 1, 4, 6, 12, 15, and 18. No claims have been added or cancelled.

#### A. Claim Rejections—35 U.S.C. § 101

The Examiner has rejected claims 1-5 and 15-19 on the basis that the claimed invention is directed to non-statutory subject matter. Specifically, the Examiner asserts that the claims are directed to software *per se* with functionalities that do not manipulate any hardware or tangible entity. The applicant respectfully traverses this rejection with respect to the amended claims for the following reasons.

Claims 1 and 15 have been amended to more clearly recite non-software elements. Claim 1 is directed to a network comprising a plurality of computers and including a display. Claim 15 also recites a network comprising a plurality of computers with a web browser visible on an output display. As amended, claims 1 and 15 do manipulate hardware and involve output displays, and are thus not directed to non-statutory subject matter as being software *per se*. Since each of claims 2-5 and 16-19 are dependent upon claims 1 and 15, respectively, they are allowable as being directed to statutory subject matter for the same reasons as claims 1 and 15.

*B. Claim Rejections—35 U.S.C. § 112*

Claims 4, 6, and 18 were rejected as being indefinite. These claims have been amended in response to this rejection by removing the language identified by the Examiner.

*C. Claim Rejections—35 U.S.C. § 102*

Claims 1-19 have been rejected as being anticipated by Jellum et al. The applicant respectfully traverses this rejection for the following reasons.

Jellum et al. teaches a web page monitoring service that alerts a user whenever a user-selected web page item is changed based on a user-selected polling interval. The user first downloads and installs a client software application, which is then used in conjunction with the user's web browser to identify an element on a user-selected web page, along with the specific content (keyword) of that element to monitor. The ID/URL and keyword to monitor is then passed via the Internet and the "Branded CyberWatcher client software" to a "CyberWatcher Server," which then periodically polls the user-selected web page item to see if the user-selected keyword had changed. If a change is detected at the time a poll request is made, the CyberWatcher server then alerts the user/customer of that change.

It may be seen from the description above that Jellum et al. involves the use of specialized software by the user, not just a standard web browser. In addition, the purpose of the Jellum et al. software is to keep a user updated with changes to information appearing on a web page. Importantly, the information being monitored by the Jellum et al. software is information that is visible to

*anyone* visiting that web page. Those changes are not detected in real time, or in response to a change being made, but only when the periodic polling request—set at a user-defined interval—is sent.

Claim 1 is directed to a co-browsing system with a web browser that displays a user-visible control, and an event handler operable to transmit a change event representing a change made to the control by a user. Claim 1 is thus directed to a system that tracks when a change is made to a control by a particular user. This type of change is, by definition, not the sort of change visible to all users of the web page, but just to the user who makes the change in the control element. Jellum et al., by contrast, teaches a method of monitoring a web page not for changes to user-visible controls, but to web page items that are broadcast and generally visible to all viewers of the web page. Jellum et al. neither teaches nor suggests any means by which to monitor changes made by a user to user-manipulated controls presented at a web browser. The teaching of Jellum et al. would be wholly incapable of providing this functionality. Claim 1 is thus not anticipated by Jellum et al.

In addition, claim 1 is directed to a co-browsing system in which a change event is transmitted as soon as the change to the user-manipulated control is made. The change is thus detected in “real time.” Jellum et al., by contrast, teaches a periodic polling set on a user-defined interval, so the speed of the update depends upon the interval; regardless of the speed that is set, however, the update does not occur in real time. Claim 1 is thus not anticipated by Jellum et al. for this reason as well.

Since claims 2-5 are dependent upon claim 1, they are also not anticipated by Jellum et al. for these same reasons as presented above.

Claim 6 is directed to a method for initiating a co-browsing session involving the use of two web pages that are identical in appearance, and the communication of a session identifier. Jellum neither teaches nor suggests these method steps. The purpose of Jellum is to monitor changes in information objects on web pages. Although Jellum describes a process involving two web browsers, there is no teaching or suggestion that two web browsers should display pages that are identical in appearance. In fact, the two web browsers described by Jellum et al. at col. 2, lines 35-56, specifically contemplates that the displays will be different in appearance, since the purpose is to monitor changes in information objects between the two web browsers. Claim 6 is thus not anticipated by Jellum et al.

Since claims 7-11 are dependent upon claim 6, they are also not anticipated by Jellum et al. for the same reasons as presented above.

Claim 12 is directed to a co-browsing method using a web browser that transmits a change event representing a change made by a user to a control visible in the web browser. Jellum et al., by contrast, teaches a method of monitoring a web page for changes that are generally visible to all users of a particular site. Jellum et al. neither teaches nor suggests any means by which to monitor changes to user controls at a web browser. Claim 12 is thus not anticipated by Jellum et al. In addition, claim 12 is directed to a co-browsing system in which a change event is transmitted when the change to the user-

manipulated control is made. The change is thus detected in real time. Jellum et al., by contrast, teaches a periodic polling set on a user-defined interval, so the speed of the update depends upon the interval. Claim 12 is thus not anticipated by Jellum et al. for this reason as well.

Since claims 13 and 14 are dependent upon claim 12, they are also not anticipated by Jellum et al. for the same reasons as presented above.

Claim 15 is directed to a co-browsing system comprising a web browser with an event handler that transmits a user control change event. Jellum et al., by contrast, teaches a method of monitoring a web page for changes to web page items that are generally visible to all users of a particular site. Jellum et al. neither teaches nor suggests any means by which to monitor changes to user controls at a web browser. Claim 15 is thus not anticipated by Jellum et al.

In addition, claim 15 is directed to a co-browsing system in which a change event is transmitted as soon as the change to the user-manipulated control is made. The change is thus detected in real time. Jellum et al., by contrast, teaches a periodic polling set on a user-defined interval, so the speed of the update depends upon the interval. Claim 15 is thus not anticipated by Jellum et al. for this reason as well.

Since claims 16-19 are dependent upon claim 15, they are also not anticipated by Jellum et al. for the same reasons as presented above.

*D. Conclusion*

With the amendments made herein and for the reasons provided above, the applicant asserts that all claims in the application are allowable, and reconsideration and allowance is therefore requested.

Respectfully submitted,

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